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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-434 SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
LUIGI FULVIO PALMARES AGUILAR,)	
)	
)	
Defendant.)	
_____)	

On August 15, 2008, the parties in this case appeared before the Court for their initial status conference in District Court. At that time, the parties requested, and the Court agreed, to exclude all time under the Speedy Trial Act between August 15, 2008 and September 2, 2008 because the parties need additional time to continue plea negotiations. The parties represented that granting the continuance was the reasonable time necessary for preparation of defense counsel and continuity of defense counsel and government counsel. 18 U.S.C. §

3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: August 15, 2008

/s/
TAREK J. HELOU
Assistant United States Attorney


DATED: August 15, 2008

/s/
GEOFFREY HANSEN
Attorney for Defendant Luigi Fulvio Palmares Aguilar

For the reasons stated above, the Court finds that exclusion of time from August 15, 2008 through September 2, 2008 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: _____



THE HONORABLE SUSAN ILLSTON
United States District Judge